

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 2023 I

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In re Application of

DASSOULAS, Stephen, C., et al. U.S. Application No.: 09/890,164

PCT No.: PCT/US00/01609

International Filing Date: 24 January 2000

Priority Date: 25 January 1999

Attorney's Docket No.: 0275Y0312USB

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**DECISION ON PETITION** FOR REVIVAL UNDER 37 CFR 1.137(b) AND

SUBMISSION UNDER

37 CFR 1.42

The petition to revive under 37 CFR 1.137(b) filed 22 March 2004 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

The "required reply" was a proper response to the Notification Of Missing Requirements, that is, an acceptable declaration in compliance with 37 CFR 1.497. Applicants had previously filed acceptable declarations executed by the surviving inventors, and the present petition is accompanied by a declaration executed on behalf of the deceased inventor (Michael LINDBERG) by the executrix of the deceased inventor's estate. This declaration is acceptable under 37 CFR 1.42 and 37 CFR 1.497. Accordingly, applicants have submitted the required reply.

The requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application is granted as to the national stage in the United States of America.

The request for status under 37 CFR 1.42 is also **GRANTED**.

This application is being returned to the National Stage Processing Division of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 22 March 2004.

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